



PATENT
Attorney Docket No. 81785

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
ARON BRAUN ET AL.)
)
Serial No.: 09/980,194)
)
Int'l. Appln. Filing Date: May 12, 2000)
)
For: VORRICHTUNG UND)
VERFAHREN ZUR)
PHOTOLITHOGRAPHISCHEN)
BELICHTUNG VON)
BIOLOGISCHEN STOFFEN)

Group Art Unit: Unknown

Examiner: Unknown

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Box DAC
Commissioner for Patents
Washington, D.C. 20231

Sir:

PETITION TO ACCORD A FILING DATE UNDER 37 C.F.R. § 1.10(d)

This is a petition to accord the application papers in the above-identified matter a filing date of November 14, 2001, which is the actual date the application papers were deposited with the U.S.P.S. with proper postage as an Express Mail mailing.

This petition is being filed promptly after the undersigned learned that the Patent Office has apparently accorded a filing date of November 15, 2001, to the application papers in question, as evidenced by a return postcard recently received by the undersigned and bearing a stamped date of November 15, 2001.

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Said November 15, 2001 filing date is apparently based on the "date-in" of November 15, 2001, appearing on the Express Mail label associated with the application papers. As will shown below, the date the subject Express Mail mailing was actually deposited with the U.S. Postal Service was November 14, 2001, not November 15, 2001. Consequently, the correct "date-in" for the subject Express Mail mailing is November 14, 2001, not November 15, 2001.

The following items are enclosed herewith in accordance with the requirements of 37 C.F.R. 1.10(d):

1. A true copy of the originally-deposited papers, which include a Certificate of Mailing by Express Mail that refers to Express Mail No. EL919995207US and is dated November 14, 2001;

2. A true copy of the Express Mail label from Express Mail No. EL919995207US, said label showing an incorrect "date-in" of November 15, 2001;

3. A Declaration signed by Marcial Delgado, a U.S. Postal Service employee, stating that the Express Mail mailing in question, namely, Express Mail No. EL919995207, was deposited with the U.S. Postal Service for Express Mail service on November 14, 2001; and

4. A Letter from Fred Gowen of the U.S. Postal Service Expedited Services Office, confirming that the date of deposit of the Express Mail mailing in question is November 14, 2001, not November 15, 2001.

The undersigned hereby states that the Certificate of Mailing by Express Mail appearing on the application papers was placed thereon prior to the original mailing by Express Mail. The undersigned further states that, as is corroborated by the Declaration of Marcial Delgado and the letter from Fred Gowen, the mailing in question was timely deposited with the U.S. Postal Service

for Express Mail service on November 14, 2001. Therefore, the "date-in" appearing on Express Mail No. EL919995207 should be November 14, 2001, not November 15, 2001.

Accordingly, the undersigned hereby petitions the Commissioner to accord the subject application a filing date of November 14, 2001, and respectfully requests that the Commissioner advise the undersigned that such a filing date has been assigned.

The undersigned respectfully requests that if, this Petition is lacking in any respect, that the U.S. Patent and Trademark Office contact the undersigned (by collect call, if necessary) so that whatever action is necessary can be taken.

Prompt and favorable action is earnestly solicited.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Patent Office is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is

required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

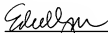
Kriegsman & Kriegsman

By: 

Edward M. Kriegsman
Reg. No. 33,529
665 Franklin Street
Framingham, MA 01702
(508) 879-3500

Dated: February 19, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box DAC, Commissioner for Patents, Washington, D.C. 20231 on February 19, 2002



Edward M. Kriegsman
Reg. No. 33,529

Dated: February 19, 2002